

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission

From: Planning Division

Date: April 13, 2005

Re: **FUTURE LAND USE MAP AMENDMENT: Employment 2 to Medium Density Residential for property between Lakeside Drive, Enterprise Drive and Norfolk & Southern Railroad also known as Valuation Number 251-01-001.**

REZONING: I-2, Light Industrial District to R-4, Medium-High Density Multi-Family Residential District for property between Lakeside Drive, Enterprise Drive and Norfolk & Southern Railroad also known as Valuation Number 251-01-001.

I. PETITIONER

B&A Properties, LLC, 1353 Thompson Lane Forest, VA 24551

Representative: Doyle Allen, Hurt & Proffitt, Inc., 2524 Langhorne Road, Lynchburg VA 24501

II. LOCATION

The subject property is approximately 3.19 acres and is located between Lakeside Drive, Enterprise Drive and Norfolk & Southern Railroad, also known as Valuation Number 251-01-001.

Property Owners: B&A Properties, LLC, 1353 Thompson Lane Forest, VA 24551

III. PURPOSE

The purpose of this petition is to allow for the construction of three (3) apartment buildings containing a total of twenty four (24) units.

IV. SUMMARY

- Petition proposes to change the Future Land Use Map designation for this area from Employment 2 to Medium Density Residential land use. Adjacent land uses as designated on the Future Land Use Map include a combination of low density residential, Wyndhurst Mixed Land Use Development, and industrial properties.
- Petition agrees with the Zoning Ordinance in that apartments are permitted “by right” in an R-4, Medium-High Density Multi-Family Residential District.
- Petition(s) proposes to amend the Future Land Use Map and rezone the subject property for the construction of three (3) apartment buildings containing a total of twenty four (24) units.

The Planning Division recommends approval of the Future Land Use Map amendment and the rezoning petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* recommends Employment 2 development in this area. These areas include light and heavy manufacturing, research and development, flex space and large-scale office uses. Restaurant, hotel and business service uses are also appropriate, if sized and designed to serve the employment area. The petitioner proposes to amend the Future Land Use map to Medium Density Residential for the subject property. Medium density residential is characterized by small-lot single family detached

housing, duplexes and townhouses at densities up to twelve (12) units per acre; the site plan, as proposed, provides for a density of seven and one-half (7.5) units per acre. The plan also recommends that where neighborhoods already exist, infill development should be at a compatible density and housing type. Existing land uses within the area include multi-family apartments (previous phases of Homestead Gardens in Bedford County), vacant commercial (currently forested), industrial and undisturbed forested area owned. The City's Director of Economic Development is in agreement with the rezoning since the property can only be accessed through the existing apartments in Bedford County and the creek, sewer, and equalization basin provide a good break between the proposed apartments and the adjacent industrial site.

2. **Zoning.** The subject property was annexed into the City in 1976. The existing I-2, Light Industrial District zoning was established in 1978 with the adoption of the current *Zoning Ordinance*.
3. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the proposed rezoning.
4. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - 7/8/2003: City Council approved Jamerson and Company's CUP petition to amend the Wyndhurst Traditional Neighborhood Development Plan to allow for construction of apartments and additional single family uses off Wyndhurst Drive and 1536 Lockwood Drive.
 - 5/9/2000: City Council approved LIDA, The Summit and J.E. Jamerson and Son's CUP petition to create the Summit Traditional Neighborhood Development and to extend Wyndhurst Traditional Neighborhood Development along Enterprise Drive.
 - 5/9/2000: City Council approved The Summit and J.E. Jamerson and Son's petition to rezone one hundred forty three (143) acres on both sides of Enterprise Drive between Laxton Road and Norfolk & Southern Railroad to create the Summit Traditional Neighborhood Development and to extend Wyndhurst Traditional Neighborhood Development along Enterprise Drive.
 - 7/14/1998: City Council approved J.E. Jamerson and Son's CUP petition to create a Wyndhurst Traditional Neighborhood Development at Laxton Road and Enterprise Drive.
 - 7/14/1998: City Council approved J.E. Jamerson and Son's CUP petition for the construction of a dam and a lake within the 100-year floodplain at Laxton Road and Enterprise Drive.
 - 4/8/1997: City Council approved J.E. Jamerson and Son's petition to rezone four hundred (400) acres from R-1 to R-2(c), R-4(c), B-1(c), B-3(c), and I-2(c) to allow single-family residential, townhouse, apartment, nursing home/assisted living/retirement village complex, various commercial uses and an industrial park.
 - 6/8/1993: City Council approved Timberlake Dixie Youth Athletic Association's CUP petition to amend its master plan to allow installation and usage of lights on three existing fields at 311 Beverly Hills Circle.

- 5/14/1991: City Council approved Timberlake Dixie Youth Athletic Association's CUP petition to amend its master plan to allow for additional ball fields, parking and concessions at 311 Beverly Hills Circle.
5. **Site Description.** The subject property lies on the border of Bedford County and is currently about fifty percent (50%) forested. An unnamed tributary of Tomahawk Creek forms the eastern border of the property. The property is located in flood zone C and does not lie within the limits of the 100-year floodplain. The property is bounded to the north and west by multi-family apartments in Bedford County (previous phases of Homestead Gardens) and to the east in Lynchburg by a vacant commercial (currently forested) parcel of Wyndhurst. An undisturbed forested area owned by Jefferson's Poplar Forest lies on the other side of the railroad tracks to the south.
 6. **Proposed Use of Property.** Homestead Gardens is an apartment complex in Bedford County that is currently comprised of approximately ten buildings; the existing zoning and use of the complex is multifamily in the county. The purpose of the Future Land Use Map Amendment and the rezoning is to change the I-2 zoning to R-4 to allow for the construction of a three (3) building, twenty four (24) unit apartment complex which would serve as Phase 4 and complete the existing Homestead Gardens complex. Access to the project is by Homestead Garden Court, a private street that connects to Homestead Drive (Route 661) and via Rolling Ridge Drive (Route 1442), both of which lie in Bedford County. Water and sewer will be provided by Bedford County Utility Service Authority through extension of the existing lines within the complex.
 7. **Traffic and Parking.** The City's Traffic Engineer had noted that the petitioner will need to have a letter from VDOT Resident Engineer of Bedford County saying that they approve the additional traffic at the intersection of the Homestead Gardens private drive and Homestead Drive. The VDOT Resident Engineer has since submitted a letter approving the additional traffic at the intersection.

Parking requirements for the proposed development are set at two and one half (2.5) spaces per unit by the City's Zoning Ordinance. The site plan indicates that sixty three (63) parking spaces will be provided for the apartments; sixty (60) spaces are required to meet City Code.
 8. **Storm Water Management.** New impervious areas will exceed one thousand (1,000) square feet; as such, a stormwater management plan will be required for the construction. The increase in post-development runoff conditions due to the new impervious area will be managed through the use of an existing stormwater detention basin. The existing basin will be enlarged, if necessary, to handle the increase in runoff water from the project. A preliminary analysis of the downstream receiving channel below the management basin was found to be adequate after attenuation of the flow by the basin. The petitioner proposes to address water quality through the use of a "snout" inlet filter in the drop inlet structure immediately upgrade from the basin. The "Snout" filter is a hooded catch basin discharge device that traps oils and floatable trash/sediment within the inlet. The inlet must be periodically cleaned out by a standard vacuum truck to prevent release of pollutants or clogging of the storm sewer system.
 9. **Impact.** The development of the twenty four (24) unit townhome community and associated parking will have limited impacts on the surrounding neighborhood however, no information has been provided about the design or building materials.

Traffic access to the site is currently from Bedford County. The City's Traffic Engineer had noted that the petitioner would need to have a letter from VDOT Resident Engineer of Bedford

County saying that they approve the additional traffic at the intersection of the Homestead Gardens private drive and Homestead Drive. The VDOT Resident Engineer has since submitted a letter approving the additional traffic at the intersection. The City's Traffic Engineer had no additional comments of concern regarding traffic from the proposed development. Parking requirements have been sufficiently met for the project.

The project proposes to use an existing above ground detention facility that is partially located in Bedford County. Section 16.2-22 of the City's Stormwater ordinance encourages the use of regional detention ponds wherever possible for residential and commercial subdivisions. When a pond is deemed appropriate for a development, the pond should be shared by a number of phases of a project.

The petitioner proposes to use "a snout" inlet filter for water quality. Although this filter provides a hydrocarbon and floatable removal capacity if it is properly maintained, the primary application of this measure is generally reserved for smaller scale projects. The City's Environmental Planner recommends that the petitioner use bioretention measures within the landscape islands (or similar low-impact design measures) in conjunction with "the snout" to reduce the size of the manhole structure and to provide a low-maintenance pollutant removal option for the intensive residential use of the complex.

11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on March 22, 2005. The initial site plan showed a building crossing the City/County boundary line which is not currently permitted by the City's Zoning Ordinance. The petitioner stated at the meeting that he would relocate the building and the site plan was revised accordingly. All other comments related to the proposed plan use were minor in nature and have or will be addressed by the petitioner prior to final site plan approval.

VI. PLANNING DIVISION RECOMMENDED MOTIONS:

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of B&A Properties' petition to amend the Future Land Use Map for property between Lakeside Drive, Enterprise Drive and Norfolk & Southern Railroad also known as Valuation Number 251-01-001 from Employment 2 to Medium Density Residential.

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of B&A Properties' petition for a rezoning of I-2, Light Industrial District to R-4, Medium-High Density Multi-Family Residential District for property between Lakeside Drive, Enterprise Drive and Norfolk & Southern Railroad also known as Valuation Number 251-01-001 from Employment 2 to Medium Density Residential.

This matter is respectfully offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. R. Douglas Dejarnette, Fire Marshal
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Keith Wright, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Mr. Kent White, Senior Planner
Ms. Erin Bryant, Environmental Planner
Mr. Joe Gantt, Representative

VII. ATTACHMENTS

1. Vicinity Zoning Pattern

(see attached map)

2. Vicinity Proposed Land Use

(see attached map)

3. Site Plan

(see attached site plans)

4. Project Narrative